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Serial No. 10/771,704
Page 17 of 21**REMARKS**

Applicants cancel claims 2, 12, 27, 29, 36, and 38. Claims 1, 3-11, 13-26, 28, 30-35, 37, and 39 are now pending in the application. Applicants amend independent claims 1, 25-26, 28, 35, 37, and 39 to incorporate features that correspond to those of canceled claims 2, 12, 27, 29, 36, and 38, respectively. Applicants amend claims 2-5, 7-11, 13-14, and 30-31 for consistent dependency and minor corrections. No new matter has been added.

Applicants respectfully request that the Examiner acknowledge the priority claim and receipt of all certified copies of the priority documents for this application. Applicants also request the Examiner to indicate acceptance of the drawings.

Claims 28 and 30 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

Applicants correct the antecedent basis issues identified by the Examiner by amendment, and respectfully request that the Examiner withdraw the § 112, ¶ 2 rejection.

Claims 1-2, 7-8, 12-13, 16-22, and 24-27 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0203638 to Chan et al.; claims 3-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al. in view of U.S. Patent Application Publication No. 2002/0116268 to Fukuda; claims 5-6, 9-11, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al. in view of U.S. Patent Application Publication No. 2003/0037243 to Gruteser et al.; claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al.; claim 23 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al. in view of U.S. Patent Application Publication

84199220_1.DOC

Serial No. 10/771,704

Page 18 of 21

No. 2003/0120745 to Katagishi et al.; and claims 28-39 were rejected under 35 U.S.C. § 103(a)

as being unpatentable over Chan et al. in view of Admitted Prior Art described therein.

Applicants amend independent claims 1, 25-26, 28, 35, 37, and 39 to incorporate features that correspond to those of canceled claims 2, 12, 27, 29, 36, and 38, respectively, and traverse the rejections.

The principal reference relied upon by the Examiner, Chan et al., includes description of a service delivery technique where user-profile-based services are provided at terminals based on token identifiers carried by the users and read by token readers at the terminals. The cited portions of Chan et al. only include, however, description of a token reader 20, 22, 24 reading a token ID identifying a token 44, 46, and the token ID being transmitted to a service manager 12. The service manager 12 calls a service (E-mail service, etc.) when it receives the token ID. Such portions of Chan et al., therefore, do not disclose or suggest the claimed feature of transmitting terminal identification information and a terminal address together with user identification information.

In other words, Chan et al., as cited and relied upon by the Examiner, fail to disclose or suggest,

“[a] messaging system comprising:
a terminal sending a user identification information of a user using the terminal; and
a messaging server holding content which corresponds to the user identification information of the user, and delivering the content on a receipt of the user identification information sent from the terminal, wherein
by wirelessly communicating with a wireless tag which is carried by the user and which stores the user identification information of the user, the terminal reads the user identification information from the wireless tag and sends the read user identification information to the messaging server,

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Serial No. 10/771,704
Page 19 of 21

the terminal stores in advance terminal identification information and a terminal address of the terminal and sends the stored terminal identification information and the terminal address to the messaging server together with the user identification information, and

the messaging server registers the terminal identification information and the terminal address related with the user identification information and sends the content to the terminal based on the terminal address," as recited in claim 1. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 1, together with claims 7-8, 13, 15-22, and 24 dependent therefrom, is patentable over Chan et al. for at least the above-stated reasons. Claims 25-26 incorporate features that correspond to those of claim 1 cited above, and are, therefore, patentable over Chan et al. for at least the same reasons.

Regarding claims 28-39, the cited portions of Chan et al. only include disclosure of an alternative embodiment of a PDA 110 accessing information from local "beacons" via URL. Furthermore, the "Admitted Prior Art" from Chan et al. relied upon by the Examiner only describe receiving "Web URLs for further requesting the content information," as conceded by the Examiner. Page 10, lines 19-20 of the Office Action. (Emphasis added)

As such, none of the cited portions of Chan et al. include any disclosure or suggestion of the claimed feature of a home agent address management server holding an address or identification information which corresponds to the user identification information, and returning the address or identification information.

In other words, Chan et al., as cited and relied upon by the Examiner, fail to disclose or suggest,

"[a] messaging system comprising:
a terminal sending a user identification information of a
user using the terminal;

84199220_1.DOC

Serial No. 10/771,704
Page 20 of 21

a home agent address management server holding an address or an identification information which corresponds to the user identification information, and returning the address or the identification information on a receipt of the user identification information sent from the terminal;

a content sending server sending out the content; and
a home agent server which is accessed by the terminal based on the address or the identification information returned from the home agent address management server, receiving the content sent from the content sending server, and delivering the content to the terminal, which is accommodated by the home agent server, on a receipt of the user identification information sent from the terminal, wherein

by wirelessly communicating with a wireless tag which is carried by the user and which stores the user identification information of the user, the terminal reads the user identification information from the wireless tag and sends the read user identification information to the home agent address management server," as recited in claim 28. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 28, together with claims 30-34 dependent therefrom, is patentable over Chan et al. for at least the foregoing reasons. Claims 35, 37, and 39 incorporate features that correspond to those of claim 28 cited above, and are, therefore, patentable over Chan et al. for at least the same reasons.

The Examiner relied upon Fukuda, Gruteser et al., Katagishi et al. to specifically address the respective additional features recited in dependent claims 3-6, 9-11, 14, and 23. As such, even assuming, arguendo, that it would have been obvious to one skilled in the art to further combine these references, the combinations would still have failed to cure the above-described deficiencies of Chan et al. Accordingly, Applicants respectfully submit that claim 3-6, 9-11, 14, and 23 are patentable over the cited references for at least the above-stated reasons.

Serial No. 10/771,704

Page 21 of 21

Applicants appreciate the Examiner's implicit finding that the additional references made of record, but not applied, do not render the claims of the present application unpatentable, whether these references are considered alone or in combination with others.

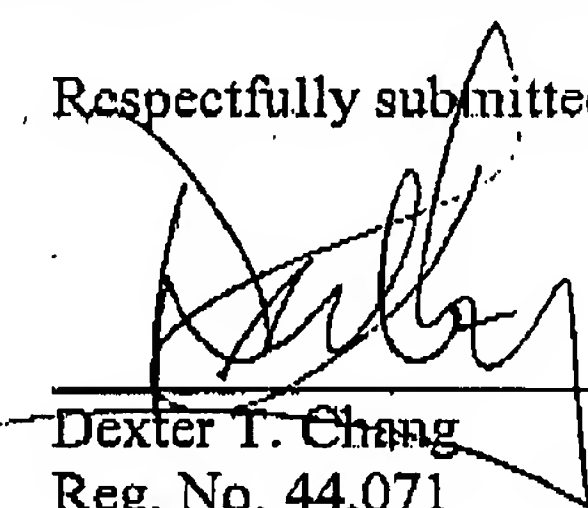
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In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Dexter T. Chang
Reg. No. 44,071

CUSTOMER NUMBER 026304
Telephone: (212) 940-6384
Fax: (212) 940-8986 or 8987
Docket No.: FUJH 20.907 (100794-00543)
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